

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT MICHIGAN**

STRIKE 3 HOLDINGS, LLC,)	
)	
Plaintiff,)	Civil Case No. 1:18-cv-00924-RJJ-RSK
)	
v.)	
)	
JOHN DOE subscriber assigned IP)	
address 99.121.116.150,)	
)	
Defendant.)	
_____)	

**MOTION FOR EXTENSION OF TIME WITHIN WHICH
TO EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC (“Plaintiff”), moves for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).
2. On September 12, 2018, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP to obtain the Defendant’s identifying information [CM/ECF 7]. Plaintiff issued the subpoena on or about September 19, 2018 and received the ISP’s response on or about November 9, 2018.
3. Plaintiff is currently investigating whether the individual identified by the ISP is the appropriate defendant for this action prior to attempting to effect service of process.
4. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than November 13, 2018.
5. Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Amended Complaint on Defendant be extended an additional thirty-

five (35) days, and thus the deadline to effect service be extended to December 18, 2018. This extension should allow Plaintiff sufficient time to conclude its investigation, amend the complaint and place for service with the process server.

6. This motion is made in good faith and not for the purpose of undue delay.

7. This is Plaintiff's first request for an extension. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Amended Complaint on Defendant be extended until December 18, 2018. A proposed order is attached for the Court's convenience.

Dated: November 13, 2018

Respectfully submitted,

**BOROJA, BERNIER & ASSOCIATES
PLLC**

/s/ Joel A. Bernier

By: JOEL A. BERNIER (P74226)

49139 Schoenherr Rd.

Shelby Township, MI 48315

T: 586-991-7611

F: 586-991-7612

Email: Bbclawgroup@gmail.com

Attorney for Plaintiff